



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

May 4, 2005

In re Patent of: Simpson
U.S. Patent No.: 6,840,202
Filed: August 19, 2003
Issued: January 11, 2005
Attorney Docket No.: BW-DKT01115A

PETITION UNDER 37 CFR 1.183

Mail Stop: Petitions
COMMISSIONER OF PATENTS
P.O. Box 1450
Washington, D.C. 20231

Applicant hereby requests that the requirements of 37 CFR 3.81 (a) be waived, to permit the correct name of the Assignee to be provided after issuance of the patent.

The following information is being included in this petition:

- 1) Statement that the failure to include the correct the spelling of the name of the Assignee was inadvertent.

The correct Assignee name was inadvertently misspelled on the PTOL-85B fee transmittal form.

- 2) Please correct the name of the Assignee as following:

BorgWarner Inc.

- 3) The petition fee as set forth in 37 CFR 1.17(h).

- 4) A copy of the Notice of Recordation of the Assignment is enclosed.

05/11/2005 EFLORES 00000086 020910 10643842

01 FC:1462 400.00 DA

Void date: 05/11/2005 EFLORES
05/11/2005 EFLORES 00000086 020910 10643842
01 FC:1462 400.00 CR

05/11/2005 EFLORES 00000110 020910 6840202

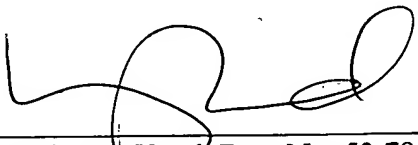
01 FC:1462 400.00 DA

05/11/2005 EFLORES 00000110 020910 6840202

02 FC:1011 100.00 DA

If this petition is granted, please forward it to the Certificate of Corrections branch, for issuance of a Certificate of Correction under 37 CFR 1.323. A copy of the paperwork requesting a Certificate of Correction today is also attached.

Respectfully Submitted:

By: 
Lynda M. Wood, Reg. No. 53,791
Attorney of Record
BROWN & MICHAELS, P.C.
400 M&T Bank Building - 118 N. Tioga St.
Ithaca, NY 14850
(607) 256-2000 • (607) 256-3628 (fax)
e-mail: brown@bpmlegal.com
Dated: May 4, 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

MARCH 19, 2004

PTAS



102538271A

BORGWARNER INC.
FRANK TIAN
3800 AUTOMATION AVENUE, SUITE 100
POWERTRAIN TECHNICAL CENTER
AUBURN HILLS, MI 48326-1782

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/19/2003

REEL/FRAME: 014432/0195
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

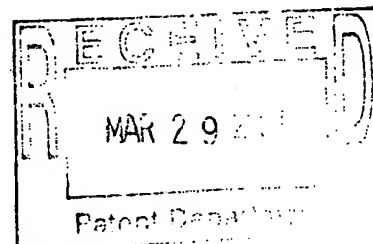
ASSIGNOR:
SIMPSON, ROGER T.

DOC DATE: 08/18/2003

ASSIGNEE:
BORGWARNER INC.
3800 AUTOMATION AVENUE, SUITE 100
POWERTRAIN TECHNICAL CENTER
AUBURN HILLS, MICHIGAN 48326-1782

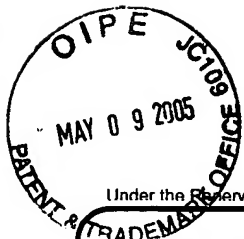
SERIAL NUMBER: 10643842
PATENT NUMBER:

FILING DATE: 08/19/2003
ISSUE DATE:



014432/0195 PAGE 2

VIOLET MCCOY, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



CAC \$

PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | | |
|--|--|--------------------------|-------------------------|
| FEE TRANSMITTAL For FY 2005 | | Complete if Known | |
| | | Application Number | 10/643,842 (6,840,202) |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 | | Filing Date | 08/19/2003 (01/11/2005) |
| TOTAL AMOUNT OF PAYMENT (\$) 100.00 | | First Named Inventor | Simpson |
| | | Examiner Name | Eshete, Zelalem |
| | | Art Unit | 3748 |
| | | Attorney Docket No. | BW-DKT01115A |

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 02-0910 Deposit Account Name: Brown & Michaels PC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES

| Fee Description | Fee (\$) | Small Entity Fee (\$) |
|---|----------|-----------------------|
| Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent | 50 | 25 |
| Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent | 200 | 100 |
| Multiple dependent claims | 360 | 180 |

Total Claims - 20 or HP = _____ x 50 = 0 **Fee Paid (\$)** 0

HP = highest number of total claims paid for, if greater than 20

Indep. Claims - 3 or HP = _____ x 200 = 0 **Fee Paid (\$)** 0

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets - 100 = _____ / 50 = _____ (round up to a whole number) x 250 = 0 **Fee Paid (\$)** 0

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Certificate of Correction **Fees Paid (\$)** 100.00

| | | | |
|---------------------|---------------|-------------------------|------------------------|
| SUBMITTED BY | | Registration No. 53,791 | Telephone 607-256-2000 |
| Signature | | (Attorney/Agent) | |
| Name (Print/Type) | Lynda M. Wood | Date | 5-4-05 |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | | |
|---|----------------------|-------------------------|--------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/643,842 (6,840,202) | |
| | Filing Date | 08/19/2003 (01/11/2005) | |
| | First Named Inventor | Simpson | |
| | Art Unit | 3748 | |
| | Examiner Name | Eshete, Zelalem | |
| Total Number of Pages in This Submission | 12 | Attorney Docket Number | BW-DKT01115A |

| ENCLOSURES (Check all that apply) | | |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance communication to Technology Center (TC) |
| <input checked="" type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | PostCard |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) _____ | Certificate of Correction for Applicants |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | Remarks | Mistake and fee |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | | Copy of Petition |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|----------------------|
| Firm or Individual name | Brown & Michaels, PC |
| Signature | |
| Date | 5-4-05 |

CERTIFICATE OF TRANSMISSION/MAILING

| | |
|---|----------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | |
| Typed or printed name | Judy H. Barron |
| Signature | |
| Date | 5-4-05 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.